

1  
2  
3  
4  
5  
6  
7  
8 **IN THE UNITED STATES DISTRICT COURT**  
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**  
10

11 RONALD EUGENE JAMES,

12 Plaintiff,

13 v.

14 RICHARDSON, et al.,

15 Defendants.  
16

No. 2:23-CV-0853-DC-DMC-P

ORDER

17 Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to  
18 42 U.S.C. § 1983. Pending before the Court are Plaintiff's motions regarding law library access.  
19 See ECF No. 23 and 38.

20 On November 12, 2024, the District Judge issued an order directing that this action  
21 proceed on the first amended complaint on Plaintiff's Claim I for retaliation against Defendants  
22 Powell and Almed, and Plaintiff's Claim IV for medical deliberate indifference against  
23 Defendants Richardson and Banks. See ECF No. 29. All other claims and defendants were  
24 dismissed. See id. Defendants filed their answer on January 7, 2025, see ECF No. 32, and the  
25 case has been scheduled, see ECF No. 34.

26 ///

27 ///

28 ///

1 In the pending motions, Plaintiff states that non-party staff at the Sacramento  
2 County Main Jail is not affording him preferred law library use privileges incident to his status as  
3 a prisoner proceeding pro se and in forma pauperis. See ECF Nos. 23 and 38. While the Court is  
4 unable to grant Plaintiff relief in the form of an order directing non-party jail staff to grant  
5 Plaintiff law library access, see Zenith Radio Corp. v. Hazeltine Research, Inc., 395 U.S. 100  
6 (1969), and injunctive relief would otherwise be inappropriate because Plaintiff has not  
7 demonstrated either the likelihood of irreparable injury or success on the merits of his underlying  
8 claims, see Stormans, Inc. v. Selecky, 586 F.3d 1109 (9th Cir. 2009), the Court will by this order  
9 grant Plaintiff's motions to the extent the Court confirms that Plaintiff is a prisoner proceedings  
10 pro se and in forma pauperis.

11 Accordingly, IT IS HEREBY ORDERED that Plaintiff's motions, ECF Nos. 23  
12 and 38, are granted insofar as the Court confirms, for purposes of access to the jail law library,  
13 that Plaintiff is a prisoner proceeding pro se and in forma pauperis.

14  
15 Dated: March 4, 2025



DENNIS M. COTA  
UNITED STATES MAGISTRATE JUDGE